

## **Part 5**

### **Special Dealer License Plates**

#### **41-3-501 Special plates -- Dealers -- Dismantlers -- Manufacturers -- Remanufacturers -- Transporters -- Restrictions on use.**

- (1) Except as provided under this chapter, a dealer may operate or move a motor vehicle displaying a dealer plate issued by the division upon the highways without registering it under Title 41, Chapter 1a, Motor Vehicle Act, if the dealer owns or possesses the motor vehicle by consignment for resale.
- (2) A dismantler may operate or move a motor vehicle displaying a dismantler plate issued by the division without registering it as required under Title 41, Chapter 1a, Motor Vehicle Act, upon the highways solely to transport the motor vehicle:
  - (a) from the place of purchase or legal acquisition to the place of business for dismantling; or
  - (b) to the place of business of a licensed crusher for disposal.
- (3) A manufacturer or remanufacturer may operate or move a manufactured or remanufactured motor vehicle displaying a manufacturer plate issued by the division upon the highways without registering it as required under Title 41, Chapter 1a, Motor Vehicle Act, solely to:
  - (a) deliver the motor vehicle to a dealer; or
  - (b) demonstrate a motor vehicle to a dealer or prospective dealer.
- (4)
  - (a) A transporter may operate or move a motor vehicle displaying a transporter plate issued by the division upon the highways without registering it as required under Title 41, Chapter 1a, Motor Vehicle Act, solely:
    - (i) from the point of repossession to a financial institution or to the place of storage, so that a financial institution may provide for operation of a repossessed motor vehicle by a prospective purchaser;
    - (ii) to and from a detail or repair shop for the purpose of detailing or repairing the motor vehicle; or
    - (iii) to a delivery point in, out, or through the state.
  - (b) This subsection does not include loaded motor vehicles subject to the gross laden weight provision of Title 41, Chapter 1a, Motor Vehicle Act.
- (5) Dealer plates may not be used:
  - (a)
    - (i) on a motor vehicle leased or rented for compensation; or
    - (ii) in lieu of registration, on a motor vehicle sold by the dealer; or
  - (b) on a loaded motor vehicle over 12,000 pounds gross laden weight unless a special loaded demonstration permit is obtained from the division.

Amended by Chapter 183, 1994 General Session

#### **41-3-502 Special plates -- Permit to use dealer plate to demonstrate loaded motor vehicle.**

- (1) Under rules established by the administrator, the division may issue a permit to a dealer to use a dealer plate to demonstrate a loaded motor vehicle to a bona fide prospective purchaser.
- (2) To obtain a permit, the dealer or his authorized representative shall apply on a form prescribed by the division.

- (3) If approved and issued, the permit shall be carried in the motor vehicle for which it is issued during the demonstration trip and shall be returned to the division properly completed and signed within 10 days after its expiration date.

Renumbered and Amended by Chapter 234, 1992 General Session

**41-3-503 Special plates -- Issuance.**

- (1) Subject to the provisions of Subsections (3), (4), and (5), the division may issue special plates under Section 41-3-501 as necessary to conduct the business of the dealer, dismantler, manufacturer, remanufacturer, or transporter applying for the plates.
- (2) Each plate issued shall contain a number or symbol distinguishing it from every other plate.
- (3) Except as provided under Subsection (4), the division may issue two special dealer plates to each dealer licensed under this chapter plus one additional special dealer plate for every 25 motor vehicles sold by the dealer each year.
- (4) A dealer licensed under this chapter who does not sell at least three new or used motor vehicles in any 12-month period may not be issued or have renewed any special dealer plates.
- (5) The division shall determine, at least annually, the number of special dealer plates to be issued or renewed to each dealer prior to issuing or renewing any special dealer plates. In determining the number of special plates to be issued to a dealer, the division shall use the past motor vehicle sales history of the dealer. If no sales history is available, the division may use generally accepted motor vehicle sales projections based on:
  - (a) written forecasts submitted by the dealer to motor vehicle manufacturers, financial institutions, or bonding and insurance companies;
  - (b) the dealer's inventory of motor vehicles available for sale; or
  - (c) written verification of credit extended to the dealer by financial institutions for financing the dealer's inventory of motor vehicles available for sale.
- (6)
  - (a) The division may recall, redesign, and reissue special plates under this part, as needed to administer the provisions of this title.
  - (b) All special plates shall be designed in conformity with Sections 41-1a-401, 41-1a-402, and 41-1a-403.

Amended by Chapter 46, 1996 General Session

**41-3-504 Special plates -- Display.**

Special plates issued to dealers, dismantlers, manufacturers, remanufacturers, and transporters for the purpose of operating or moving motor vehicles on the highway under the provisions of this chapter shall be:

- (1) prominently displayed on the rear of the motor vehicle where clearly visible;
- (2) free from foreign materials;
- (3) clearly legible; and
- (4) securely fastened in a horizontal position.

Renumbered and Amended by Chapter 234, 1992 General Session

**41-3-505 Special plates -- Application -- Security requirements.**

- (1) A dealer, dismantler, manufacturer, remanufacturer, or transporter may apply to the division upon the appropriate form for one or more special plates.

- (2) The applicant shall also submit proof of his status as a licensed dealer, dismantler, manufacturer, remanufacturer, or transporter as required by the division.
- (3) The applicant shall also establish to the satisfaction of the division that he complies with the security requirements of Sections 31A-22-302 and 31A-22-303.

Renumbered and Amended by Chapter 234, 1992 General Session

**41-3-506 Special plates -- Expiration.**

- (1) A special plate issued expires:
  - (a) on June 30 each year; or
  - (b) upon the cancellation, suspension, or revocation of the licensee's license.
- (2) Under Subsection (1)(b), the plates shall be returned to the licensee upon reinstatement of his license.
- (3) A new plate or plates, or renewal decal, for the ensuing year may be obtained by the licensee submitting a new application to the division and paying the dealer, dismantler, manufacturer, or transporter plate fee provided by law.

Renumbered and Amended by Chapter 234, 1992 General Session

**41-3-507 Special plates -- Record to be kept by users -- Reporting lost or stolen plates.**

- (1) Each dealer, dismantler, manufacturer, remanufacturer, and transporter shall keep a written record of each special plate issued to it.
- (2) The record shall contain the name and address of any person to whom the plate has been assigned to be used.
- (3) The record shall account at all times for every special plate issued to the licensee, and shall be open to inspection by any peace officer or any officer or employee of the division.
- (4) Lost or stolen special plates shall be reported immediately to the division.

Renumbered and Amended by Chapter 234, 1992 General Session

**41-3-508 Special plates -- Suspension or revocation -- Grounds -- Procedure -- Appeal -- Confiscation.**

- (1) The division may suspend or revoke the special plate or plates issued to a dealer, dismantler, manufacturer, remanufacturer, or transporter if it determines that the person:
  - (a) is not lawfully entitled to them;
  - (b) has made or knowingly permitted illegal use of the plates;
  - (c) has committed fraud in the registration of motor vehicles; or
  - (d) failed to give notices of sales or transfers required under this chapter.
- (2)
  - (a) Suspension or revocation of special plates takes effect immediately upon written notification to the licensee by the division.
  - (b) Upon notification, the licensee shall immediately return all special plates to the division.
  - (c) Failure to return the plates or permitting their continued use is a violation of this chapter.
- (3)
  - (a) If a licensee desires to appeal the division's suspension or revocation, he shall file a written notice of appeal with the administrator within 10 days of the suspension or revocation.
  - (b) Upon receipt of the notice, the administrator shall schedule a hearing for not more than 20 days from the date the written appeal is received.

- (c) The licensee may not continue to use or possess any special plates that have been suspended or revoked.
  - (d) The hearing and subsequent appeal process are in accordance with the procedures in this chapter.
- (4)
- (a) A peace officer may confiscate any special plate that he has reason to believe is being used illegally.
  - (b) A special plate confiscated under this chapter or Title 41, Chapter 1a, Motor Vehicle Act, may not be returned to the licensee if the administrator determines that the plate was being used illegally.

Amended by Chapter 1, 1992 General Session

Renumbered and Amended by Chapter 234, 1992 General Session